

### **REMARKS**

Applicants thank the Examiner for consideration given the present application. Claims 1-9 are currently pending. Claims 1 and 9 have been amended through this Reply. Claims 1, 2 and 9 are independent. Applicants respectfully request reconsideration of the rejected claims in light of the Amendment and remarks presented herein, and earnestly seek timely allowance of all pending claims.

### **Allowed Subject Matter**

Applicants thank the Examiner for the indication that claims 2-5 are allowed.

### **Amendments**

The amendments made to the claims do not add any new matter and do not raise any new issues.

### **The Claims Define Patentable Subject Matter**

The Office Action rejects claims 1, 8 and 9 under 35 U.S.C. § 103(a) over U.S. Patent No. 6,655,133 to Mikami et al. (Mikami) in view of U.S. Patent No. 5,941,066 to Araki et al. (Araki) and U.S. Patent No. 6,634,345 to Yoshizaki et al. (Yoshizaki); and rejects claims 6 and 7 under 35 U.S.C. § 103(a) over Mikami in view of Araki and Yoshizaki and further in view of U.S. Patent No. 7,137,248 to Schaller. These rejections are respectfully traversed.

Independent claims 1 and 9 recite, *inter alia*, “a burnt particulate amount calculating unit configured to calculate an amount of burnt particulates on the basis of a temperature of exhaust

gas in front of the particulate filter or a temperature of the particulate filter and an amount of particulates accumulated on the particulate filter” The applied references fail to teach or suggest the recited features of independent claims 1 and 9.

Mikami discloses an exhaust gas purifier that includes an air-fuel ratio sensor 21, exhaust manifold 17, surge tank 12 connected to each other by an EGR passage 22. See Figure 1 and column 5, lines 17-22 of Mikami. The object of Mikami is to provide an exhaust gas purifier for an internal combustion engine, which can prevent an early clogging of a particular filter and at the same can decrease the discharge amount of the harmful substances contained in the exhaust gas of the atmosphere other than the particulates. Mikami discloses that particulates may be ignited for the combustion at about 600 degrees Celsius, but the exhaust gas temperature of the diesel engine is generally lower than 600 degrees Celsius. See column 1, lines 18-56. The amount of particulate that can be removed per unit time is analyzed by the amount of particulate accumulated on the filter, but it does not disclose calculating the amount of particulate accumulated on the filter. See column 15, line 62 through column 16, line 20. Araki, Yoshizaki and Schaller fail to cure the deficiencies of Mikami. Thus, the applied references, alone or in any combination, fail to teach or suggest the recited features of independent claims 1 and 9.

For at least the reasons stated above, independent claims 1 and 9 are patentably distinct from the applied references. The dependent claims are at least allowable by virtue of their dependence on corresponding allowable independent claims 1 and 9.

Accordingly, withdrawal of the rejections of the claims based on the applied references is respectfully requested.

**Conclusion**


In view of the above Amendment, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Obert H. Chu, Reg. No. 52,744 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.147; particularly, extension of time fees.

Dated: August 22, 2008

Respectfully submitted,

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